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ELI LILLY AND COMPANY

By Lisa M. Capps Date March 30, 2006

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Applicant: BHAT Balkrishen

Serial No.: 10/559636 ✓

Application Date: June 3, 2004

US Nat'l Entry

Date (if applicable): December 2, 2005

For: MODULATION OF SURVIVIN EXPRESSION

Docket No.: X16329

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

As a means of complying with the duty of disclosure, Applicants submit an "Information Disclosure Citation In An Application" on a Form PTO-1449 (modified) and provide a copy of each of the listed documents for consideration by the Examiner.

Since this Statement is being filed in accordance with 37 C.F.R. 1.97(b), Applicants submit that no additional fee is required.

Applicants request consideration of this information.

Respectfully submitted,

Manisha A. Desai

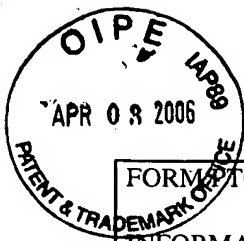
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29 March 2006



FORM PTO 1449 (modified) INFORMATION DISCLOSURE CITATION IN AN APPLICATION	Atty. Docket No. X-16329	Serial No 10/559,636
	First Applicant BHAT Balkrishen	
	Filing Date US Nat'l Entry (if applicable) December 2, 2005	Group

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Pages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US 3,687,808	08-29-1972	Merigan et al.	
	AB	US 5,808,036	09-15-1998	Kool	
	AC	US 5,898,031	04-27-1999	Crooke	
	AD	US 6,077,709	06-20-2000	Bennett et al.	
	AE	US 6,107,094	08-22-2000	Crooke	
	AF	US 6,165,788	12-26-2000	Bennett et al.	
	AG	US 6,335,194 B1	01-01-2002	Bennett et al.	
	AH	US 6,245,523	06-12-2001	Altieri	
	AI	US 6,509,162 B1	01-21-2003	Altieri	
	AJ	US 6,656,684 B1	12-02-2003	Sandler	
	AK	US 6,777,444 B2	08-17-2004	Huang et al.	
	AL	US 6,838,283 B2	01-04-2005	Bennett et al.	
	AM	US 2002/0137708	09-26-2002	Bennett et al.	
	AN	US 2002/0068708 A1	06-06-2002	Wengel et al.	
	AO	US 2002/0132788 A1	09-19-2002	Lewis et al.	
	AP	US 2002/0160393 A1	10-31-2002	Symonds et al.	
	AQ	US 2003/0211607 A1	11-13-2003	Bennett et al.	
	AR	US 2004/0018999 A1	01-29-2004	Beach et al.	
	AS	US 2005/0143335 A1	06-30-2005	Bennett et al.	

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AT	US 2005/0100907 (equivalent of WO 00/44895)	05-12-2005	Kreutzer et al.	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ - Kind Code ⁵ (if known)				
	BA	WO 99/14226	03-25-1999			
	BB	WO 99/32619	07-01-1999			
	BC	WO 00/18781	04-06-2000			
	BD	WO 00/44914	08-03-2000			
	BE	WO 00/49035	08-24-2000			
	BF	WO 01/29058 A1	04-26-2001			
	BG	WO 01/36641 A2	05-25-2001			
	BH	WO 01/36646 A1	05-25-2001			
	BI	WO 01/48183 A2	07-05-2001			
	BJ	WO 01/57059 A1	08-09-2001			
	BK	WO 01/75164 A2	10-11-2001			
	BL	WO 02/44321 A2	06-06-2002			

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s) publisher, city and/or country where published.	T ⁶
	CA	ADIDA et al., "Anti-apoptosis gene, surviving, and prognosis of neuroblastoma," <u>The Lancet</u> , Vo. 351, pp. 882-883 (1998).	
	CB	ALTIERI, Dario, "Xa receptor EPR-1," <u>FASEB</u> , Vol. 9, pp. 860-865 (1995).	
	CC	ALTIERI, Dario, "Splicing of Effector Cell Protease Receptor-1 mRNA Is Modulated by an Unusual Retained Intron," <u>Biochemistry</u> , Vol. 33, pp. 13848-13855 (1994).	
	CD	AMARZGUIQUI et al., "Tolerance for mutations and chemical modifications in a siRNA," <u>Nucleic Acids Research</u> , 31:2, pp. 589-595 (2003).	
	CE	AMBROSINI et al., "Induction of Apoptosis and Inhibition of Cell Proliferation by <i>surviving</i> Gene Targeting," <u>J. of Biological Chemistry</u> , 273:18, pp. 11177-11182 (1998).	
	CF	AMBROSINI et al., "A novel anti-apoptosis gene, <i>surviving</i> , expressed in cancer and lymphoma," <u>Nature Medicine</u> , 3:8, pp. 917-921 (1997).	

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CG	BASS, Brenda, "Double-Stranded RNA as a Template for Gene Silencing," <u>Cell</u> , Vol. 101, pp. 235-238 (2000).	
CH	BOUTLA et al., "Short 5'-phosphorylated double-stranded RNAs induce RNA interference in <i>Drosophila</i> ," <u>Current Biology</u> , Vol. 11, pp. 1776-1780 (2001).	
CI	BRANCH, Andrea, "A good antisense molecule is hard to find," <u>TIBS</u> , Vol. 23, pp. 45-50 (1998).	
CJ	BRANTL, Sabine, "Antisense-RNA regulation and RNA interference," <u>Biochimica et Biophysica Acta</u> , Vol. 1575, pp. 15-25 (2002).	
CK	CAPLEN et al., "Specific inhibition of gene expression by small double-stranded RNAs in invertebrate and vertebrate systems," <u>PNAS</u> , 98:17, pp. 9742-9747 (2001).	
CL	CARMELL et al., "The Argonaute family: tentacles that reach into RNAi, developmental control, stem maintenance, and tumorigenesis," <u>Genes & Development</u> , Vol. 16, pp. 2733-2742 (2002).	
CM	CHUI et al., "RNAi in Human Cells: Basic Structural and Functional Features of Small Interfering RNA," <u>Molecular Cell</u> , Vol. 10, pp. 549-561 (2002).	
CN	COGONI et al., "Post-transcriptional gene silencing across kingdoms," <u>Curr. Opinion in Genes Dev.</u> , Vol. 10, pp. 638-643 (2000).	
CO	COHEN, Gerald, "Caspases: the executioners of apoptosis," <u>Biochem. J.</u> , Vol. 326, pp. 1-16 (1997).	
CP	CZAUDERNA et al., "Structural variations and stabilising modifications of synthetic siRNAs in mammalian cells," <u>Nucleic Acids Research</u> , 31:11, 2705-2716 (2003).	
CQ	ELBASHIR et al., "Functional anatomy of siRNAs for mediating efficient RNAi in <i>Drosophila melanogaster</i> embryo lysate," <u>The EMBO Journal</u> , 20:23, pp. 6877-6888 (2001).	
CR	ELBASHIR et al., "RNA interference is mediated by 21- and 22-nucleotide RNAs," <u>Genes & Development</u> , Vol. 15, pp. 188-200 (2001).	
CS	ELBASHIR, et al., "Duplexes of 21-nucleotide RNAs mediate RNA interference in cultured mammalian cells," <u>Nature</u> , Vol. 411, pp. 494-498 (2001).	
CT	FIRE et al., "Potent and specific genetic interference by double-stranded RNA in <i>Caenorhabditis elegans</i> ," <u>Nature</u> , Vol. 391, pp. 806-811 (1998).	
CU	Genbank Accession No. AW247335, Dec. 16, 1999.	
CV	GROSSMAN et al., "Expression of the Apoptosis Inhibitor, Survivin, in Nonmelanoma Skin Cancer and Gene Targeting in a Keratinocyte Cell Line," <u>Laboratory Investigation</u> , United States and Canadian Academy of Pathology, 79:CX9, pp. 1121-1126 (1999).	
CW	GUO et al., "par-1, a Gene Required for Establishing Polarity in <i>C. elegans</i> Embryos, Encodes a Putative Ser/Thr Kinase That Is Asymmetrically Distributed," <u>Cell</u> , Vol. 81, pp. 611-620 (1995).	
CX	GURA, Trisha, "A silence that speaks volumes," <u>Nature</u> , Vol. 404, pp. 804-808 (2000).	
CY	JEN et al., "Suppression of Gene Expression by Targeted Disruption of Messange RNA: Available Options and Current Strategies," <u>Stem Cells</u> , Vol. 18, pp. 307-319 (2000).	
CZ	KAWASAKI et al., "Uniformly Modified 2'-Deoxy-2'-fluoro Phosphorothioate Oligonucleotides as Nucleas-Resistant Antisense Compounds with High Affinity and Specificity for RNA Targets," <u>J. Med. Chem.</u> , Vol. 36, pp. 831-841 (1993).	

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CCA	KAWASAKI et al., "Synthesis and Biophysical Studies of 2'-dRibo-2'-F Modified Oligonucleotides," ISIS Pharmaceuticals, Inc., 2280 Faraday Avenue, Carlsbad, CA 92008, USA (1991).
CCB	LI et al., "Control of apoptosis and mitotic spindle checkpoint by surviving," <u>Nature</u> , Vol. 396, pp. 580-584 (1998).
CCC	LI et al., "Pleiotropic cell-division defects and apoptosis induced by interference with surviving function," <u>Nature Cell Biology</u> , Vol. 1, pp. 461-466 (1999).
CCD	LU et al., "Expression of a Novel Antiapoptosis Gene, Survivin, Correlated with Tumor Cell Apoptosis and p53 Accumulation in Gastric Carcinomas," <u>Cancer Research</u> , Vol. 58, pp. 1808-1812 (1998).
CCE	MARTINEZ et al., "Single-Stranded Antisense siRNAs Guide Target RNA Cleavage in RNAi," <u>Cell</u> , Vol. 110, pp. 563-574 (2002).
CCF	METELEV et al., "Study of Antisense Oligonucleotide Phosphorothioates Containing Segments of Oligodeoxynucleotides and 2'-O-Methyloligoribonucleotides," <u>Bioorganic & Medicinal Chemistry Letters</u> , 4:24, pp. 2929-2934 (1994).
CCG	MONIA et al., "Evaluation of 2'-Modified Oligonucleotides Containing 2'-Deoxy Gaps as Antisense Inhibitors of Gene Expression," <u>J. of Biological Chemistry</u> , 268:19, pp. 14514-14522 (1993).
CCH	MONTGOMERY et al., "RNA as a target of double-stranded RNA-mediated genetic interference in <i>Caenorhabditis elegans</i> ," <u>Proc. Natl. Acad. Sci.</u> , Vol. 95, pp. 15502-15507 (1998).
CCI	PADDISON et al., "Stable suppression of gene expression by RNAi in mammalian cells," <u>PNAS</u> , 99:3, pp. 1443-1448 (2002).
CCJ	PARRISH et al., "Functional Anatomy of a dsRNA Trigger: Differential Requirement for the Two Trigger Strands in RNA Interference," <u>Molecular Cell</u> , Vol. 6, pp. 1077-1087 (2000).
CCK	SCHWARZ et al., "Evidence that siRNAs Function as Guides, Not Primers, in the <i>Drosophila</i> and Human RNAi Pathways," <u>Molecular Cell</u> , Vol. 10, pp. 537-538 (2002).
CCL	SIJEN et al., "On the Role of RNA Amplification in dsRNA-Triggered Gene Silencing," <u>Cell</u> , Vol. 107, pp. 465-476 (2001).
CCM	SUI et al., "A DNA vector-based RNAi technology to suppress gene expression in mammalian cells," <u>PNAS</u> , 99:8, pp. 5515-5520 (2002).
CCN	YU et al., "RNA interference by expression of short-interfering RNAs and hairpin RNAs in mammalian cells," <u>PNAS</u> , 99:9, pp. 6047-6052 (2002).
CCO	ZHOU et al., "Post-transcriptional suppression of gene expression in <i>Xenopus</i> embryos by small interfering RNA," <u>Nucleic Acids Research</u> , 30:7, pp. 1664-1669 (2002).

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